

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO: <u>23-</u>
v.	:	DATE FILED: <u>February 9, 2023</u>
NYESHA PARIS, a/k/a "Nyesha Henderson"	:	VIOLATION: 18 U.S.C. § 1349 (conspiracy to commit wire fraud - 1 count) Notice of forfeiture

INDICTMENT

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. Lowe's Companies, Inc. ("Lowe's"), operated a chain of nationwide home improvement retail stores. A Lowe's Account Receivable (LAR) business account was an account that allowed a business to make purchases at Lowe's.
2. An LAR account could be opened at any Lowe's store by a customer, who completed an LAR application. An LAR application was either completed at a computer terminal at a Lowe's store or by a paper application that was submitted to a Lowe's representative.
3. An LAR application required the customer to provide basic information that included: the full legal name for the company or applicant in whose name the account was opened; any doing-business-as name; street address; telephone number; tax identification number; type of business; number of employees; annual revenue; and the name, address, and social security number for a personal guarantor.

4. Once an LAR application was completed, the application information was transmitted by wire communication to a data center in Arizona or Texas run by Lowe's banking partner, Synchrony Bank. Upon approval of an application, an LAR would be activated and the customer could immediately make purchases through the LAR up to a set credit limit.

5. A customer could make payments on an LAR account by bringing a check to Lowe's store. Payment would increase the amount of credit available for the customer to make additional purchases. Lowe's would communicate by wire with a Synchrony Bank data center in Arizona or Texas to log all activity on the LAR account and to check the available credit.

6. If a fraudulent check or a check with insufficient funds were used to pay the LAR, Lowe's would usually not receive notice of such for approximately 10 days, at which time the LAR would be suspended or closed. Until the LAR was suspended or closed, purchases could be made through the account up to the amount of the credit available as result of the fraudulent or insufficient funds checks credited to the account.

7. From on or about April 24, 2018, and continuing through on or about August 27, 2018, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NYESHA PARIS,
a/k/a "Nyesha Henderson,"**

conspired and agreed with Person #1, known to the grand jury, to devise a scheme and artifice to defraud Lowe's and to obtain money and property from Lowe's by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice, to transmit, and to cause to be transmitted, by means of wire communications in interstate commerce, writings, signs, signals, pictures and sounds, in violation of Title 18, United States Code, Section 1343.

8. It was part of the conspiracy that Person #1, who had other business dealings with defendant NYESHA PARIS, opened a business checking account at Citizens Bank in the name of Halley Cares Company. Halley Cares Company did no business. Person #1 deposited only \$1,600 into the Halley Cares account. On or about August 1, 2018, the account balance of the Halley Cares Company checking account was -\$829.00, and no deposits were made to the account during the month of August. On or about August 29, 2018, Citizens Bank closed the account and charged off the negative balance.

9. It was part of the conspiracy that, on or about April 23, 2018, defendant NYESHA PARIS knowingly and intentionally opened an LAR account at a Lowe's store in Philadelphia, Pennsylvania, in the name of Paris Enterprises Corporation. As a result of opening this account, wire transmissions were sent, on the date the account was opened and on the date of each purchase and payment, from the Lowe's store to a Synchrony Bank data center in Texas or Arizona. Between on or about August 23, 2018, and on or about August 27, 2018, defendant PARIS and others used insufficient funds checks written on the Halley Cares business checking account to give the appearance they were funding the Paris Enterprises LAR account. Once the LAR account was opened, defendant PARIS and Person #1 used the LAR account to make approximately \$43,838 of fraudulent purchases of goods and gift cards at Lowe's between on or about August 23, 2018, and on or about August 27, 2018.

All in violation of Title 18, United States Code, Section 1349.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 1349 set forth in this indictment, defendant

**NYESHA PARIS,
a/k/a "Nyesha Henderson,"**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such violations, including, but not limited to the sum of \$43,838:

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other


property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C).

A TRUE BILL:



GRAN



JACQUELINE C. ROMERO
UNITED STATES ATTORNEY

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

v.

NYESHA PARIS, a/k/a "Nyesha Henderson"

INDICTMENT

Counts

18 U.S.C. § 1349 (conspiracy to commit wire fraud - 1 count)

Notice of forfeiture

A true bill.



Filed in open court this 9 day,
Of February A.D. 20 23

Clerk

Bail, \$ _____
